

STATE OF NEW YORK SOUTHERN COUNTY U. S. DISTRICT COURT  
 DOCUMENTS SERVED WITH INDEX # 08CIV1330 AND FILED ON February 11, 2008  
 ATTORNEY(S) Kevin T. Mulhearn, Esq.,

*Robert Burck d/b/a The Naked Cowboy*

*Plaintiff(s)/Petitioner(s)*

vs

*Mars Incorporated and Chute Gerdeman, Inc.*

*Defendant(s)/Respondent(s)*

County of Franklin, State of Ohio.

Chad Houghs, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides at Columbus, OH. On March 6, 2008 at 11:26 am at 455 South Ludlow Street, Columbus, OH 43215

deponent served a Summons in a Civil Case and Complaint  
 Individual Rules and Practices of Judge Denny Chin

UPON: Chute Gerdeman, Inc., Defendant  
 (herein called recipient) therein named.

INDIVIDUAL ☐ by delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

CORPORATION A ☒ Chute Gerdeman, Inc. corporation, by delivering thereat a true copy of each to Brian Shafley, Adver. Mgr. personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said individual to be authorized thereof.

SUITABLE AGE PERSON ☐ by delivering a true copy of each to Chute Gerdeman, Inc. a person of suitable age and discretion. Said premises is recipient's ☐ actual place of business ☐ dwelling house (usual place of abode) within the state.

AFFIXING TO DOOR ☐ by affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling house (usual place of abode) within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat  
 Day \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ Day \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_  
 Day \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ Day \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

MAILING COPY ☐ Deponent caused a copy of same to be enclosed in a first class postpaid sealed wrapper properly addressed to recipient at recipient's last known ☐ residence ☐ place of employment at: \_\_\_\_\_ and caused said wrapper to be deposited in a post office official depository under exclusive care and custody of the U. S. Postal Service within the State of New York on \_\_\_\_\_.  
☐ A second mailing was also made by certified mail (Receipt No. \_\_\_\_\_) within one day after such delivering to such suitable person such affixing ☐ and with return receipt requested.

DESCRIPTION A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:  
☒ Sex Male Color of skin White Color of hair Blonde Approx. Age 40  
 Approx. Height 6'1" Approx. weight 210 Other Blue Eyes

WITNESS FEES \$ \_\_\_\_\_ the authorizing traveling expenses and one day's witness fee was paid (tendered) to the recipient.

PHOTO ☐ Deponent was able to identify recipient from annexed photo.

MILITARY SERVICE ☒ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or on active duty in the military service in the State of New York and was informed that recipient was not.

Sworn to before me on this 10th day of March, 2008

*Jennifer G. Ruckner*

*Chad Houghs*  
 Chad Houghs

Server's Lic. # 65199359829

Invoice-Work Order # 9926223

JENNIFER G. RUCKNER  
 Notary Public - State of Ohio  
 My Commission Expires 03/31/2011